

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

BRANDON SMITANA, SKYCOIN
GLOBAL FOUNDATION LIMITED, a
Singapore company, and SYMBOLIC
ANALYTICS INC., a Delaware corporation,

Plaintiffs,

v.

BRADFORD STEPHENS, AARON KUNSTMAN,
JOEL WAYNE CUTHRIELL, MORGEN PECK,
CATHERINE BYERLY, ADVANCE MAGAZINE
PUBLISHERS INC. d/b/a THE NEW YORKER,
and UNKNOWN INDIVIDUALS and
COMPANIES,

Defendants.

Civil Action No. 24-cv-08617

Judge: Hon. John Robert Blakey

Magistrate Judge: Hon. Keri L. Holleb
Hotaling

NOTICE OF MOTION

PLEASE TAKE NOTICE that on Wednesday, October 30, 2024, at 11:00 a.m., or as soon thereafter as counsel may be heard, the undersigned counsel shall appear before the Honorable John Robert Blakey, or any other judge sitting in his stead, in Courtroom 1203 of the United States District Court for the Northern District of Illinois, Eastern Division, Everett McKinley Dirksen United States Courthouse, 219 South Dearborn Street, Chicago, Illinois 60604, and shall present Defendant Advance Magazine Publishers, Inc. d/b/a The New Yorker's Opposed Motion to Dismiss the Second Amended Complaint for Improper Venue Pursuant to Fed. R. Civ. P. 12(b)(3) & 28 U.S.C. § 1406(a), or in the Alternative, to Transfer Pursuant to 28 U.S.C. § 1404(a).

Dated: October 21, 2024

Respectfully submitted,

DAVIS WRIGHT TREMAINE LLP

/s/ Kate Bolger

Kate Bolger

Nimra H. Azmi (*pro hac vice* forthcoming)

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*Attorneys for Defendant Advance Magazine
Publishers Inc. d/b/a The New Yorker*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on October 21, 2024, a true and correct copy of the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system.

/s/ Kate Bolger

Kate Bolger